

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

S.D.J., a minor, by and through her mother,
custodial parent, and legal guardian Diana
Biernaski Jordan,

Plaintiff.

vs.

Franklin Odell Jordan and Evelyn Nates
Jordan,

Defendants.

C/A No. 3:19-2561-JFA-SVH

ORDER

Diana Biernaski Jordan (“Plaintiff”), proceeding *pro se*, filed this action purportedly on behalf of her minor child, S.D.J. (“Minor”), alleging Franklin Odell Jordan and Evelyn Nates Jordan (“Defendants”) violated Minor’s rights. (ECF No. 1). Pursuant to 28 U.S.C. §636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(c) (D.S.C.), this case was referred to a Magistrate Judge for review.

The Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation (“Report”) and opines that this Court should deny Plaintiff’s motion to proceed *in forma pauperis* (ECF No. 3) and dismiss the complaint without prejudice and without issuance and service of process. (ECF No. 1, 8). The Report sets forth in detail the relevant facts and

¹ The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

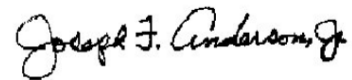
standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

Plaintiff was advised of her right to object to the Report, which was entered on the docket on September 13, 2019. (ECF No. 8). The Magistrate Judge required Plaintiff to file objections by September 27, 2019. *See id.* However, Plaintiff failed to file any objections to the Report. In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, as well as the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, the Court adopts the Report and Recommendation (ECF No. 8). Therefore, Plaintiff's motion to proceed *in forma pauperis* is denied (ECF No. 3) and Plaintiff's Complaint is dismissed without prejudice and without issuance and service of process. (ECF No. 1).

IT IS SO ORDERED.

October 7, 2019
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge